

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

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Ex parte MATTHEW J. DOYLE,  
STEPHEN J. HUNTER-RINDERLE, and  
ROBERT E. SINGER, JR.

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Application No. 09/607,602

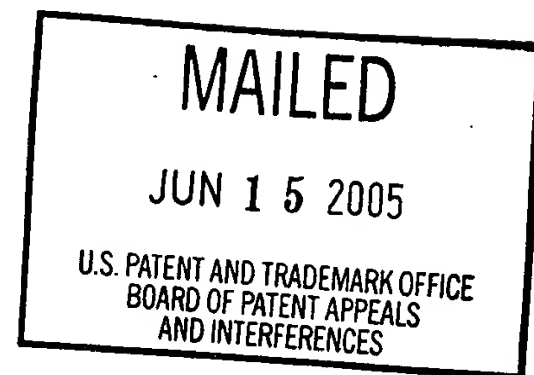
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**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

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This application was received at the Board of Patent Appeals and Interferences on May 24, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

We were unable to locate a copy of the translation for the Tsujita (JP 04089428A) reference relied on by the examiner on page 2 of the Examiner's Answer mailed April 7, 2004.




Accordingly, it is

**ORDERED** that the application is electronically returned to the examiner to:

- have a complete copy of the of the missing translation of the Tsujita (JP 04089428A) reference scanned in the administrative file;
- provide a copy of the full translation to the appellants; and
- for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

  
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